

**Notice of Intent to Request Release of Funds
(NOI/RROF)**

*The language below is the recommended wording of the Notice of Intent to Request Release of Funds. This Notice is used to request the environmental release of funds for Categorically Excluded projects (24 CFR Part 58, §58.35(a)) or for projects for which a Notice of Finding of No Significant Impact was previously issued. Words in **bold type** are required language. Words in italics are to be replaced by language appropriate to the particular project and Responsible Entity.*

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

Date of Publication: *[date published]*

*Name of Responsible Entity (RE)
Address (e.g., Street No. or P.O. Box)
City, State, Zip Code
Telephone Number of RE*

On or after *at least one day after the end of the comment period* **the City/County of _____ will submit a request to the Arkansas Economic Development Commission for the release of ACEDP funds under Title I of the Housing and Community Development Act of 1974 amended, to undertake the following project:**

Project Title: *project name*

Purpose: *Summarize purpose and need for the project*

Location: *Provide address, map identification and map coordinates (Note: ensure there is enough information about the location for the public to either use Google Earth or to physically locate the project; i.e. if a street address is not available provide map coordinates)*

Project Description: *Describe what the project is, the surrounding environment, what is going to be done and how.*

Project Issues: *Describe all project issues that require mitigation, consultation, permits or project to be conditioned*

Mitigation Measures/Conditions/Permits (if any): *Describe mitigation measures, conditions on project or required permits for above project issues*

Estimated Project Cost: *Include HUD funding & total estimated project cost*

The activities proposed project *[language option #1]: is categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements.*

OR *[language option #2]: A Finding of No Significant Impact on the environment for this project was [published/posted] on [date of finding publication/posting]. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at name and address of RE office where ERR can be examined and name and address of other locations where the record is available for review and may be examined or copied weekdays __A.M to __P.M.*

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the RE designated office responsible for receiving and responding to comments. All comments received by if notice is published: notice date plus seven days; if notice is mailed and posted: mailing and posting date plus ten days will be considered by the name of RE prior to authorizing submission of a request for release of funds.

RELEASE OF FUNDS

The City/County of _____ certifies to Arkansas Economic Development Commission that its Chief Executive Officer, as Certifying Officer in *his/her* capacity as *Official Title* consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. Arkansas Economic Development Commission's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the *name of grant recipient* to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

Arkansas Economic Development Commission will accept objections to its release of fund and the RE's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases:

- (a) The certification was not executed by the Certifying Officer of the *name of RE*;
- (b) The RE has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58;
- (c) The grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by Arkansas Economic Development Commission; or
- (d) Another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the Grants Management Division, Arkansas Economic Development Commission, 900 West Capitol, Suite 400, Little Rock, Arkansas 72201. Potential objectors should contact Grants Management Division, Arkansas Economic Development Commission to verify the actual last day of the objection period.

Name and Title of RE Certifying Officer

Certifying Officer

Note: The seven or ten-day public comment periods are the minimum time periods required by regulation prior to submission of a Request for Release of funds and Certification (form HUD-7015.15 to HUD/State. The Responsible Entity may choose to allow a longer comment period. The fifteen-day objection period is a statutory requirement. The objection period follows the

submission date specified in the Notice or the actual date of receipt by HUD/State, whichever is later.

The legal effect of the certification is that upon its approval, the Cit/County may use the ACEDP funds, and the Arkansas Economic Development Commission will have satisfied its responsibilities under the National Environmental Policy Act of 1969. The Commission will accept an objection of its approval of the release of funds and acceptance of the certification only if it is on one of the following bases:

- (a) That the certification was not in fact executed by the chief executive officer of the applicant; or
- (b) That the applicant's environmental review record for the project indicates omission of a required decision, finding, or step applicable to the project in the environmental review process.

Objections must be prepared and submitted in accordance with 24 CFR Part 58 and may be addressed to:

Arkansas Economic Development Commission
Grants Division
900 W. Capitol, Suite 400
Little Rock, Arkansas 72201

Objections to the release of funds on bases other than those stated above will not be considered. No objection received after _____ (*Date**) will be considered by the Commission.

Date	Responsible Entity Name (City/County)

Chief Executive Officer

* This date must be at least 15 days after the date the Request for Release of Funds and Certification is received by the Commission.